

REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1, 4-7, 9-22, 26-31 and 34-40 are pending in the application. Claims 1, 4-7, 9-11, 13-22, 26-31 and 34-40 have been rejected in the Office Action dated June 9, 2009.

Claims 9, 12 and 26-28 have been canceled herein.

Claims 1, 13, 20, 29 and 31 have been amended herein. Applicants respectfully assert that the amendments to the claims add no new matter.

CLAIM OBJECTION

In the Office Action, the Examiner objected to claim 9 as being an exact duplicate of claim 4. In response, Applicants have canceled claim 9 to correct this informality.

The Examiner objected to claim 12 as being dependent upon a rejected base claim but stated that claim 12 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants have herein amended independent claims 1, 13, 20 and 31 to include the limitations of dependent claim 12, which has been canceled herein.

CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1, 4, 6, 7, 9-11, 13-20 and 40 under 35 U.S.C. § 102(e) as being anticipated by Blumzvig et al. (U.S. Patent Application Publication No. 2005/0267328). Applicants respectfully traverse the rejection.

The Examiner states that Blumzvig et al. disclose a first and second rigid circuit board in electrical communication with each other, an image sensor disposed on the first circuit

board and an LED disposed on the second circuit board, the second circuit board being rigidly attached. The Examiner asserts that this disclosure anticipates the claimed invention.

Blumzvig et al. teach an electronic imaging device for collecting optical radiation from an object, the imaging device comprising an image sensor and a turning mirror to reflect collected radiation toward the image sensor. (See abstract). However, Blumzvig et al. disclose that the circuit board on which the LED is mounted is "a perpendicular extension of board 40", board 40 being the circuit board on which the image sensor is mounted and which the Examiner refers to as the first circuit board above. (See paragraph [0095]). Applicants claim a device comprising two circuit boards in electrical communication with each other. The physical communication between the two circuit boards need not be greater than that which is required for electrical communication. The disclosure of Blumzvig et al. clearly states that one circuit board is a physical extension of the other, necessarily placing the two circuit boards in extensive physical contact to the point where Blumzvig et al. do not refer to them as separate components, but as an extension of one component.

Further, Applicants have herein amended independent claims 1, 13 and 20 to include the limitations of dependent claim 12, whose subject matter the Examiner indicated was allowable and which has been canceled herein. Blumzvig et al. do not disclose a circuit board comprising a cut out that is sized for accommodating at least one power source, as now recited in amended independent claims 1, 13 and 20.

Blumzvig et al. do not teach all the limitations of amended independent claims 1, 13 and 20. Therefore, independent claims 1, 13 and 20 are allowable over Blumzvig et al. Each of claims 4, 6, 7, 9-11, 14-19 and 40 depends from one of independent claims 1 and 13 and includes all the limitations of that claim. Therefore, claims 4, 6, 7, 9-11, 14-19 and 40 are likewise allowable over Blumzvig et al., and Applicants request that the Examiner withdraw this rejection.

In the Office Action, the Examiner rejected claim 26 under 35 U.S.C. 102(a) as being anticipated by Brune et al. (U.S. Patent No. 6,371,927). Applicants have herein canceled claim 26, such that this rejection is now moot.

In the Office Action, the Examiner rejected claims 29 and 30 under 35 U.S.C. § 102(e) as being anticipated by Krill (U.S. Patent No. 7,118,531). Applicants respectfully traverse the rejection.

Krill teaches an ingestible device comprising ultrasonic transducers for performing diagnostic, analytical, treatment or imaging functions within the body. (See abstract) The Examiner states that Krill discloses a housing accommodating an imager, a power source, and an antenna. However, Krill does not teach a device comprising an imager comprising any manner of lens. In fact, the lack of optical components is inherent in the use of ultrasonic transducers, as are utilized by Krill.

Applicants have amended independent claim 29 herein to recite an imager comprising at least one lens, an amendment that finds support in the specification as files at page 7, lines 8-17. Krill does not disclose every limitation of independent claim 29, such that independent claim 29 is allowable. Claim 30 depends from independent claim 29 and includes all the limitations of that claim. Therefore, claim 30 is likewise allowable. Applicants request that the Examiner withdraw the rejection of claims 29 and 30.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claim 27 under 35 U.S.C. 103(a) as being unpatentable over Brune et al. in view of Marshall (U.S. Patent No. 6,632,175) and claim 28 under 35 U.S.C. § 103(a) as being unpatentable over Brune et al. Applicants have canceled claims 27 and 28 herein, such that the Examiner's rejections are now moot.

In the Office Action, the Examiner rejected claims 1, 4-7, 9-11, 13-20, 31 and 34-40 under 35 U.S.C. § 103(a) as being unpatentable over Gazdzinski (U.S. Patent Application Publication No. 2002/0103417) in view of Nakashima (U.S. Patent No. 6,533,722). Applicants respectfully traverse the rejection.

The Examiner states that Gazdzinski discloses an optical window behind which is disposed an illumination source, a first rigid circuit board, and a second rigid circuit board extending perpendicularly from the bottom of the first circuit board and is mechanically and electrically connected to the first circuit board, and an LED is disposed on the second circuit

board. The Examiner assumes that the LED of Gazdzinski illuminates in a direction that is parallel to a lengthwise direction of the circuit board and thus fails to disclose an LED that illuminates in a direction that is perpendicular to the circuit board on which it is disposed. However, the Examiner states that Nakashima teaches alternative embodiments wherein the LED illuminates parallel to the circuit board or perpendicular to the circuit board and redirected using a suitable light guide such as a prism.

Applicants note that independent claims 1, 13, 20 and 31 have been amended to incorporate the limitations of claim 12, now canceled, and now require that the second circuit board comprise a cut out that is sized to accommodate at least one power source. Neither Gazdzinski nor Nakashima, either alone or in combination, teaches or suggests a cut out in the circuit board to accommodate at least one power source. Therefore, amended independent claims 1, 13, 20 and 31 are allowable. Each of dependent claims 4-7, 9-11, 13-19 and 34-40 depends from one of amended independent claims 1, 13, 20 and 31, and includes all the limitations of that claim. Therefore, dependent claims 4-7, 9-11, 13-19 and 34-40 are likewise allowable. Applicants request that the Examiner withdraw the rejection.

In the Office Action, the Examiner rejected claims 21 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Gazdzinski in view of Nakashima and further in view of Brown et al. (U.S. Patent No. 6,123,201). Applicants respectfully traverse the rejection.

The Examiner states that, while the particular elements used to connect the first and second circuit boards are not described in Gazdzinski or Nakashima, Brown et al. disclose a socket or slot in one circuit board to accommodate the edge of another. The Examiner further states that Brown et al. is just one of numerous references that describe this type of connection and that it would have been obvious to provide the devices of Gazdzinski and Nakashima with such a slot or socket.

Applicants note that independent claim 20 has been amended to incorporate the limitations of claim 12, now canceled, and now require that the second circuit board comprise a cut out that is sized to accommodate at least one power source. Neither Gazdzinski nor Nakashima, either alone or in combination, teaches or suggests a cut out in the circuit board to accommodate at least one power source, such that amended independent claim 20 is

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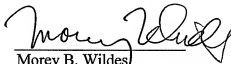
allowable. Each of dependent claims 21 and 22 depend from amended independent claim 20 and includes all the limitations of that claim, such that dependent claims 21 and 22 are likewise allowable. Applicants request that the Examiner withdraw the rejection.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



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